

REMARKS

Claims 1-19 were pending in the present application. No claims are withdrawn from consideration. By virtue of this response, claims 1-19 have been cancelled, no claims have been amended, and new claims 20-35 have been added. Accordingly, claims 20-35 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

Claim Objections

Claim 15 is objected to because of the following informalities: improper preamble. Claim 15 states that it is dependent upon “information portal system of Claim 5” (see line 1). However, Claim 5 is for “information portal logic”.

Claims 5 and 15 were cancelled.

Rejections under 35 USC § 101

Claims 5-19 are rejected under 35 USC § 101 as being alleged directed to non-statutory subject matter.

Claims 5-19 were cancelled. Applicants, by such cancellation, are not conceding that the claims were directed to non-statutory subject matter. Applicants instead have chosen to rewrite the claims to more clearly set forth the invention in the claims.

Rejections under 35 USC § 103

Claims 1-7 and 16 are rejected under 35 USC § 103(a) as allegedly being unpatentable over Disclosed Prior Art (applicant’s specification), Shea (Shea, Richard. *L2TP: Implementation and Operation*. Addison-Wesley Professional. Reading, MA. September 24, 1999. p. 191), Haverstock

(US Patent 6,343,607) and Chapman (Chapman, D. Brent & Zwicky, *Elizabeth D. Building Internet Firewalls*. O'Reilly & Associates. 1995. pp. 45-47).

All the presently pending claims were cancelled to facilitate amendments of the claims that set forth the aspects of the invention that distinguish the prior art. Applicants respectfully submit that the present citations to the above references do not teach or suggest all the limitations of these new claims.

Claims 8-9, 14-15 and 17-19 are rejected under 35 USC § 103(a) as allegedly being unpatentable over Disclosed Prior Art, Shea, Haverstock and Chapman, as applied to Claims 5 and 16 above, and further in view of Bezos (US Patent 6,029,141).

The Background discloses two prior art portal systems: (1) the “stand-in” system, where a user provides the portal with the user’s financial institution authentication information and the portal logs into an institution server using the user’s financial institution authentication information, and (2) the “client-handoff” system where the user logs into the financial institution system with an “interactive client that is programmed to get the user’s information from the financial institution system and provide it to the portal.” Background at 3. The rejection refers to these two systems as “Disclosed Prior Art.”

Applicants respectfully submit that none of the references cited in the rejection recite the combination of limitations recited in claims 20, 27, and 31. For example, claim 20 recites “web page logic, at the portal server, for presenting to the user a user-specific link to an institution server, the user-specific link for enabling the user to authenticate itself with the institution server based upon user-institution authentication data, the authentication of the user with the institution server authorizing the portal system to receive user data from the institution.”

The rejection cited Bezos col. 1, line 62 – col. 2, line 18 as teaching a user portal identification by the teaching of an associate ID. The associate ID taught in Bezos is an identification of a *referrer* to a particular merchant website. Referrers may be “Web sites or other network sites of respective business partners, referred to herein as associates.” (Col. 1, lines 50-55,

internal quotations omitted). Referrers provide a link to an “associate” that a user may click on to navigate to the web site of the “associate.” Therefore, Applicants respectfully submit that Bezos does not teach a user portal identification. In particular, Bezos does not teach or suggest, “the user identification includes a user portal ID, and the institution retains the user portal ID for the association with the portal” as recited in claim 27, for example.

Applicants submit that the new claims patently distinguish over these combinations of prior art at least because this combination of references does not teach or suggest all the limitations of the claims.

Claims 10-13 are rejected under 35 USC § 103(a) as allegedly being unpatentable over Disclosed Prior Art, Shea, Haverstock, Chapman and Bezos, as applied to Claim 9 above, and further in view of Keyes (Keyes, Jessica. *Banking Technology Handbook*. CRC Press. 1999. pp. 5-1 and 20-17).

Claims 10-13 were cancelled and new claims 20-35 were added. Applicants respectfully submit that these new claims are non-obvious over this proposed combination of references at least because these references do not teach or suggest each and every limitation of the claims. By example, claim 20 recites, “web page logic, at the portal server, for presenting to the user a user-specific link to an institution server, the user-specific link for enabling the user to authenticate itself with the institution server based upon user-institution authentication data, the authentication of the user with the institution server authorizing the portal system to receive user data from the institution.” Applicants respectfully submit that this recitation is not taught or suggested by these combination of references.

The rejection also stated that “it would have been obvious...to have modified the Disclosed Prior Art and Shea to allow for any identification that the inventor desired for authentication purposes.” Paper No. 20060113 at 6 (emphasis added). Applicants submit that this appears to be the proffered motivation for combining the “Disclosed Prior Art” with Shea, i.e., that the inventor would have been motivated to provide any identification that he/she “desired.” Aside

from the fact that neither Shea nor the Background disclose all the limitations of the claims, Applicants respectfully submit that the desirability of making the specific combination is also lacking. A valid motivation to combine is not present in a general allegation that an inventor would have been motivated to authenticate based on any information “desired,” when the specific issue with regard to motivation to combine is whether the inventor *would have had reason to desire* the particular claimed combination. *See, e.g., In re Gordon* 733 F.32d 900, 221 USPQ 1125 (Fed. Cir. 1984) (stating that the fact that a prior art device could be modified is not a basis for a rejection unless the prior art suggested the desirability of such a modification); *see also SmithKline Diagnostics, Inc. v. Helena Laboratories Corp.*, 859 F.2d 878, 8 USPQ2d 1468 (Fed. Cir. 1988) (obviousness rejections require meeting the burden “to show some teaching or suggestion in the references to support their use in the particular claimed combination.); *and see In re Dembiczak* 175 F.3d 994, 50 USPQ2d 1614 (Fed. Cir. 1999)(a showing of a suggestion or motivation to combine “must be clear and particular.”)

CONCLUSION


In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no.

324212007700. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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